

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,  
Plaintiff,

NO. CR. S-97-0040 WBS

v.

ORDER

LEONEL RIVERA,  
Defendant.

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Defendant has filed a Motion for an Order to Compel, in which he asks for an order direction his private investigator to provide him with a copy of the report he prepared before trial. The motion comes too late, because defendant's conviction became final when his conviction was affirmed by the Court of Appeals on March 8, 2002, and the denial of his habeas corpus petition was affirmed on April 18, 2007. Since the dismissal of defendant's subsequent request for modification of the imposition of fine was denied on June 12, 2008, there is no longer any matter pending before this court.

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1 IT IS THEREFORE ORDERED that defendant's motion for an  
2 order to compel be, and the same hereby is, DENIED.

3 DATED: September 29, 2008

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5 WILLIAM B. SHUBB

6 UNITED STATES DISTRICT JUDGE